

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NICHOLAS ALBERTON, GRIFFIN EPSTEIN,
GABRIELLE LANG, JENNY ESQUIVEL,
AND JEFFREY MILLER,

Plaintiffs,

Index No.: 05 CV 7692

vs.

THE CITY OF NEW YORK, a municipal
entity, NEW YORK CITY POLICE DEPARTMENT,
MICHAEL BLOOMBERG, Mayor of the City of New York;
JOSEPH ESPOSITO, Chief of the New York City Police
Department, RAYMOND KELLY, New York City Police Commissioner,
JOHN J. COLGAN, Deputy Chief and Commanding Officer
at the Pier # 57 Detention Facility, THOMAS GRAHAM,
Commanding Officer of the New York City Police Department
Disorders Control Unit, BRUCE SMOLKA, Assistant Chief in the New York
City Police Department and in Patrol Borough Manhattan South,
and TERRENCE MONAHAN, Assistant Chief in the
New York City Police Department, and the Chief of the Bronx
Borough Command; NEW YORK CITY POLICE SUPERVISORS AND
COMMANDERS "RICHARD ROES",
NEW YORK CITY POLICE OFFICERS "JOHN DOES"
and "SALLY ROES"; NEW YORK CITY POLICE OFFICER,
"JOHN" CONNOLLY, NEW YORK CITY POLICE
OFFICER "SALLY" ROSE-HINKSMAN, NEW YORK CITY POLICE OFFICER
TYREE FISHER; NEW YORK CITY POLICE DETECTIVE VICTOR LEBRON,
individually and in their official capacities, jointly and severally.

Defendants.

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AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

Amanda Baker, being duly sworn, deposes and says:

I am not a party to the within action, am over 18 years of age, and reside in Neptune, New Jersey.

On September 6, 2005 at 1:50 pm, I served a copy of the annexed Summons and Complaint on Bruce Smolka at the 13th precinct at 230 East 21st St., New York, NY 10010 by personally delivering same to SPAA, Louis, an African American female approximately 35 years old. She is approximately 5 feet and 3 inches and weighs approximately 130 pounds. She was wearing a black and white striped shirt and black jeans. She told me she was authorized to accept service on behalf of Bruce Smolka.

On September 22, 2005, I served a copy of the annexed Summons and Complaint by mailing same by first class mail of the United States Postal Service, in an envelope bearing the legend "personal and confidential" for delivery to the address of the addressee(s) as indicated below:

Bruce Smolka
NYPD, 13th precinct
230 East 21st St.
New York, NY 10010


AMANDA BAKER

Sworn to before me

this 22 day of September, 2005.


Notary Public

CAROLYN G. GOODWIN
NOTARY PUBLIC, State of New York
No. 02606081062
Qualified in Kings County
Commission Expires September 30, 2006